

RECEIVED
CENTRAL FAX CENTER
AUG 03 2009

Attorney Docket No.: 403104-A-01-US (Orbach)
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Julian James Orbach

Application No.: 10/810,526

Confirmation No.: 1176

Filed: 03/27/2004

Art Unit: 2617

For: Method and Apparatus For Incoming Call
Pause Notification

Examiner: Doan, Kiet M.

AMENDED APPEAL BRIEF

MS Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Under 37 C.F.R. § 41.37(d), this amended brief is filed in response to a Notice of Non-Compliant Appeal Brief ("Notice") mailed July 10, 2009. As noted in the Notice, the only defects were in the Grounds of Rejection to Be Reviewed on Appeal section. Therefore, in compliance with 37 C.F.R. § 41.37, this amended brief contains only an amended Grounds of Rejection to Be Reviewed on Appeal section.

Item 5 of the Notice required that the brief should contain a concise explanation of each ground of rejection and the amended Grounds of Rejection to Be Reviewed on Appeal section now includes this information.

I hereby certify that this correspondence is being facsimile transmitted to Commissioner, at fax No. 571-273-8300, on

08/03/2009
Date Being Faxed

John C. Moran
Signature

Application No.: 10/117,162

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

- A. Claims 12-15, 34-37, 56, and 60 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2004/0198461 of D.J. Coombes (hereafter Coombes), Claims 16-18, 20, 22, 38-40, 42 and 44 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Coombes in view of U.S. Patent Application Publication No. 2002/01427556 of J.D. Rutledge, et al. (hereafter Rutledge), and Claims 19, 21, 41, 43, and 57 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Coombes in view of Rutledge and further in view of well known prior art (Official Notice).**

Application No.: 10/117,162

Respectfully submitted,

By 
John C. Moran

Attorney for Applicant
Reg. No.: 30,782

Date: 08/03/2009

Telephone No. (303) 450-9926